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EXAMINER	
AMINI, JAVID A	

ART UNIT	PAPER NUMBER
2672	

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/701,470	VANGILDER, JAMES H.	
	Examiner	Art Unit	
	Javid A. Amini	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 October 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 5-7 and 14 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The applicant recites "a second mode", "a third mode", and "a fourth mode", which are not defined in the specification. One of ordinary skill in the art would not be able to recreate the applicant's invention without a clear and detailed disclosure.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 5-7 and 14 recite the limitation ""a second mode", "a third mode", and "a fourth mode" " in claims 5-7 and 14. There is insufficient antecedent basis for this limitation in the claim. In the specification, the applicant fails to provide clear basis for "a second mode", "a third mode", and "a fourth mode" as recited in claims 5-7 and 14. All limitations recited in the claims must have corresponding factual basis in the specification to support said limitations.

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because figures 1-15 are not formal drawing. Applicant is advised to employ the

services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claims 1-2, 10-11 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Creamer et al., US Patent Application Publication No: 2003/0126584 in view of Crook, US Patent No: 6,642,942.

5. In regards to claim 1, Creamer et al. (hence forth called Creamer) explicitly teaches ***in a graphical user interface for a computer, a method of displaying objects for designing a service graph using a plurality of service independent building blocks, the method comprising: displaying a canvas object; displaying a toolbar object; and displaying a menu object***.

Creamer teaches a visual tool, which specifically is a graphical user interface (GUI) used to create service components for use in a service logic execution environment in an integrated network. Said visual tool comprising well-known drag-and-drop and smart guide techniques is used to create service components. By providing an intuitive graphical user interface through which service building block characteristics can be specified, a non-specialist can create service components without the need for manually programming said service components (Paragraph [0013], [0025], and [0035]). Said service components created (FIG. 7) specifically are services graphs as defined by the applicant in the specification and drawings. Said service building blocks are specifically displayed on the GUI (FIG. 7) using the visual composition portion of the visual tool (Paragraph [0025]). Said service building blocks are service independent since the user has the option of specifying the characteristics of the service building blocks using the intuitive graphical user interface (Paragraph [0013], lines 8-10). In addition, individual service building blocks are combined to form a service component (Paragraph [0035]), and thus said service building blocks are service independent until combined together and said characteristics specified. Creamer explicitly teaches displaying a canvas object; displaying a toolbar object, and displaying a menu object (FIG. 7). The large area of FIG. 7 containing the service blocks linked together with arrows specifically is the canvas object. The top portion of FIG. 7 clearly shows the well-known tool bar (picture of icons representing specific functions), and a plurality of well-known drop down menu items (e.g., File, Bean, Edit, Tools, Workspace, etc).

6. Creamer also explicitly teaches on the left side of FIG. 7, an area showing a plurality of service component building blocks, which specifically are ***service independent building blocks***, and said service component building blocks can be drag-and-dropped onto the canvas (Paragraph

[0037]). Said service component building blocks are service independent since the user can create any particular service graph by combining only the desired service component building blocks, and thus the same service component building block can be used to create different services.

7. Said area showing said plurality of service building blocks specifically performs the same function as the ***working folder tabs object*** as recited in the instant claim. Although said area is not explicitly a working folder tabs object, it is well known in the GUI art to implement said working folder tabs object in order to create a hierarchical system for storing any types of data including building block objects such as the service building blocks. Said working folder tabs object is in fact ubiquitous with Microsoft® Windows Explorer GUI, a very well known GUI system (See FIG. A below). A myriad of systems running Windows operating system incorporate said working folder tabs for providing easy accessible user interaction (i.e. faster and easy way of selecting objects in hierarchical folders using drag-and drop). An analogous art, Crook, explicitly teaches creating and configuring another type of telecommunication service, call-processing applications, using a GUI. Said call processing applications are graphically represented on a display using a GUI editor (Col. 2, line 29 – Col. 3, line 15). Much like the teachings of Creamer, Crook explicitly teaches using the well-known drag-and-drop technique for configuring said call processing applications (Col. 4, line 41 – Col. 5, line 16; Col. 5, line 54 – 22 and FIGS. 2-17). Said call processing applications (service building blocks) are drag-and-dropped from a file window (40), which specifically is a working folder tabs object. It would have been obvious to one of ordinary skill in the art to take the teachings of Creamer and to add from Crook the well known and obvious GUI component, working folder tabs object, in order to

allow a user to more easily create and configure service graphs (Col. 5, lines 9-16). In fact, both Creamer and Crook teach using a GUI in order to provide an easy method of creating and configuring specific service graphs without added programming skills or training. Said working folder tabs object provide to the user a familiar GUI (well known and ubiquitous via Microsoft® Windows Explorer) for organizing said service building blocks, from which each service building block can be easily drag-and-dropped onto the canvas. Further, Crook explicitly provides that the graphical configuration reduces the time and expense of assembling a call processing system (service graph). Anyone familiar with drag-and-drop techniques and mouse manipulation can practice the present invention, even when the application is written by different vendors (Col. 9, lines 31-48).

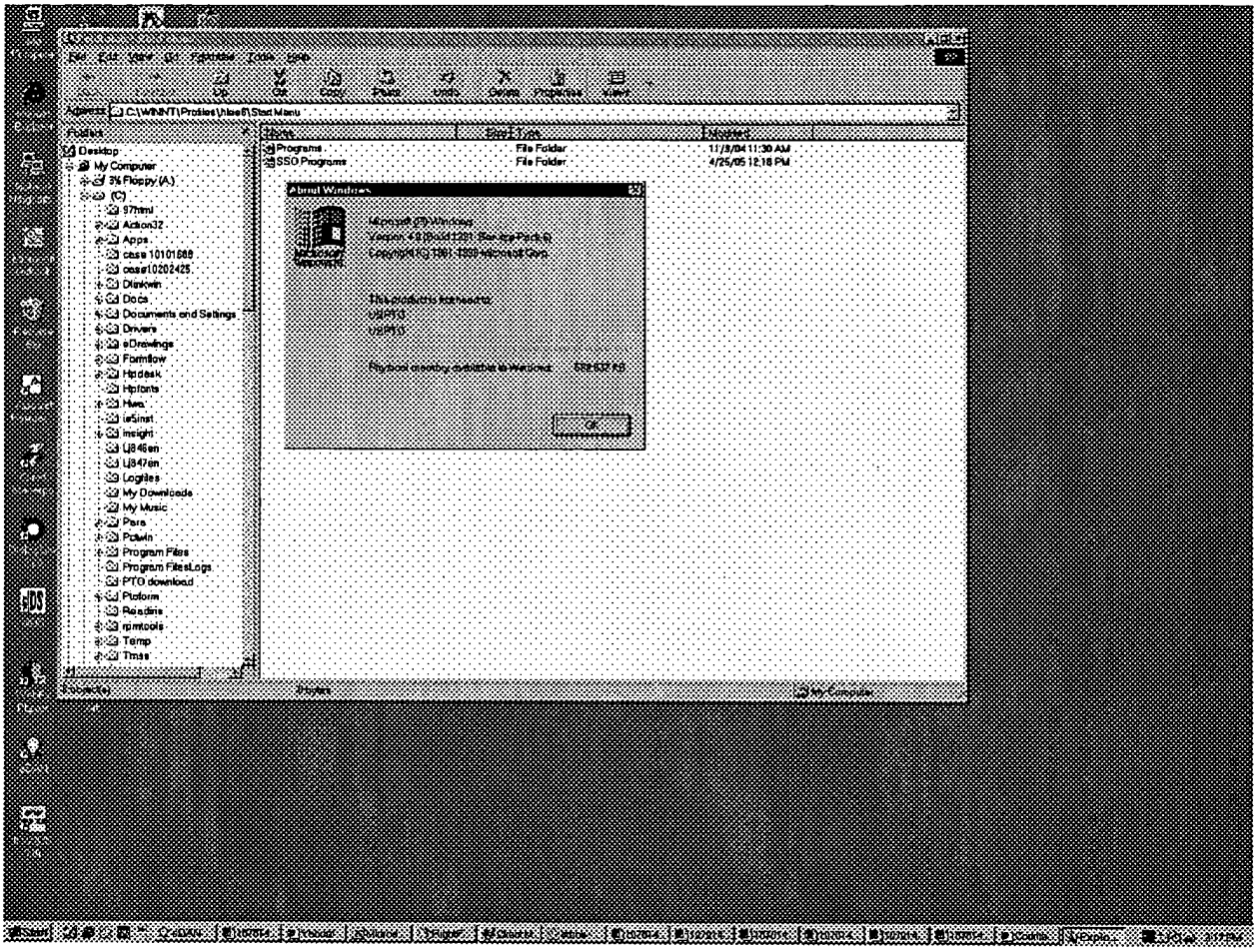

FIG. A: Well known and ubiquitous Microsoft® Windows Explore

8. In regards to claim 10, the same basis and rationale for claim rejection as applied to claim 1. above are applied. Creamer explicitly teaches a visual tool, which specifically is a computer readable data for performing the operations as recited in the instant claim (Paragraph [0033]-[0034] and [0039]). In addition, Crook also teaches a computer readable data (computer program), and all computer programs must be stored in a computer-readable medium (FIG. 1).

9. In regards to claims 2, 11, and 17, Creamer and Crook teach the method of claim 1 as applied above. In addition, Creamer explicitly teaches a canvas displayed in a lower right hand portion of a graphical design window (FIG. 7), the working folder tabs object displayed

adjoining the canvas object on the left (FIG. 7 when combined with Crook FIG. 2), and the toolbar object above the canvas object (FIG. 7 as applied to claim 1 above). Although Crook teaches said working folder tabs object on the right side and canvas object on the left side, the positions of said canvas and working folder tabs object is not critical to the invention and thus does not teach away from Creamer. In fact, the combination of Creamer and Crook teaches both options.

10. In regards to claim 15, the same basis and rationale for claim rejection as applied to claims 1 and 10 above. In addition, Creamer explicitly teaches embedding it's invention in a computer program product, which comprises all features enabling the implementation of the method described herein, and which when loaded in a computer system is able to carry out these methods. Computer programs means or computer program in the present context means any expression, in any language, code or notation, or a set of instructions intended to cause a system having an information processing capability to perform particular function (Paragraph [0039]). Thus, said invention of Creamer must be implemented on a computer system comprising a processor and a display since said visual tool must be visible to the user. Further, all computer programs must be implemented on a computer system comprising a processor and a display.

11. In regards to claim 16, the same basis and rationale for claim rejection as applied to claim 15 above. Both Creamer and Crooks must implement their teachings on a computer system as applied to claim 15 above. In addition, Crooks explicitly teaches input devices (14 and 18), output devices (14 and 18), and data storage devices (12 and 30) on FIG. 1.

12. Claims 3-4, 8-9,12-13, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Creamer et al., US Patent Application Publication No: 2003/0126584 in view

of Crook, US Patent No: 6,642,942, and further in view of Office Action Correspondence Subsystem (OACS) User's/Training Manual Version 1.3, Copyright 02/2003 (Microsoft® Word 2000, Copyright 1983-1999 based software).

13. In regards to claims 3 and 12, Creamer and Crook teach the method of claim 1 and 10 above. In addition, combination of Creamer and Crook explicitly teach displaying the canvas on the left side and the working folders tab object on the right side. The applicant's recitation of claims 2 and 3 lends support to the examiner's interpretation and argument that the specific positioning of the canvas and the working folder tab objects is not critical to the invention. If having specific positioning of said canvas and working folder tab object were critical to the applicant's invention, the applicant would not claim both positioning options. By claiming both, it is clear that one position does not offer critical advantage over the other. This is true in GUI art in general. The position of the GUI toolbar depends on the user and the task performed by the user. When service building blocks (or any objects) are moved from one side to another (from the working folder tabs object to the canvas), it is obviously better to have corresponding GUI toolbars between the adjoining left and right side. Placing a toolbar between two sides is well known in the art. For example, the well-known FTP programs comprise two screen portions adjoined with a tool bar in placed in between. This allows the user to easily transfer objects from one side to another. The examiner feels that the purpose of the GUI toolbar location between the working folder tabs object and the canvas is an obvious modification of Creamer and Crook (wherein both teach toolbars placed on top and above the canvas and the working folder tabs object). By placing the toolbar in the middle, the user can easily access the desired toolbars when transferring objects from the left side to the right side. An analogous art, OACS, explicitly

teaches this limitation (See Page 1-31, FIG. 1-33). The two arrow icons located in the middle between the left and right window specifically make up a toolbar. The user can easily transfer files from the left side to the right side by selecting the desired file and then pressing the appropriate direction arrow using a mouse pointer. OACS may at first seem to be an unrelated art, but it is a well-known program created using a very well known word processing program (Microsoft® Word 2000), which in essence performs exactly the same function as the GUI recited in the instant claim. Further, OACS explicitly teaches a floating tool bar (See FIGS. B-E), which can be place anywhere. The floating toolbar placement specifically allows the user to place said toolbar anywhere on the screen as desired for easy access. In this context, the applicant is directed to FIG. 3 of Crook. Between the canvas and the working folder tabs object, there exists a dividing space. When the floating toolbar function of OACS is applied to Crooks and said floating toolbar is docked on the dividing space of Crooks, said toolbar specifically is placed between the canvas and the working folder tabs object. This is the inherent advantage provided by the flexible nature of floating toolbar.

14. It would have been obvious to one of ordinary skill in the art at the time of the invention to take the teachings of Creamer and Crook and to add from OACS the placement of toolbar in the middle in between the left side and the right side since said placement is well known to aid users move files from one side to the another. The purpose of the GUI is to help user perform functions, and by placing said toolbar in the middle, it is easier for the user to reach when transferring files between two sides. This concept is well known in the art, and thus is not derived from the applicant and hence not an impermissible hindsight. When a person of ordinary skill in the art designs the GUI for creating service graphs, said person would not limit his

research in the service graph creating technology. It is reasonable to assume that said person must research the state of the art GUI technology in order to maximize the function of GUI, which specifically is to aid user interaction and increase efficiency. Thus, it is reasonable to assume that said person would have access to GUI technology from a plurality of different art areas. The concept of a GUI is not limited by the specific application and broadly covers all areas wherein user interaction requires improvement. Thus said person of ordinary skill in the art must include the GUI art, which would render the combination of Creamer, Crook, and OACS obvious.

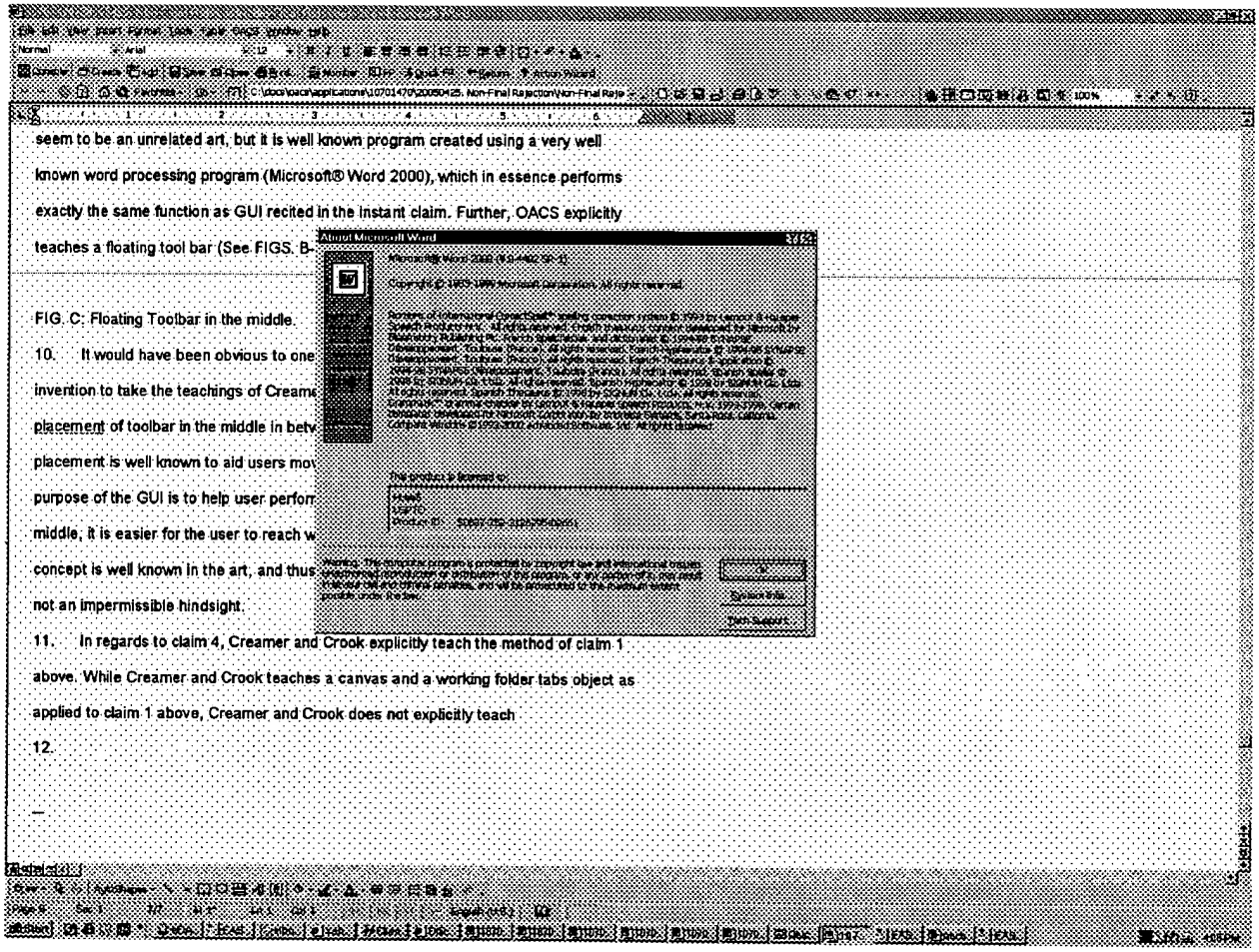

FIG. B: Microsoft® Word 2000, Copyright© 1983-1999 (Which is used to create OACS)

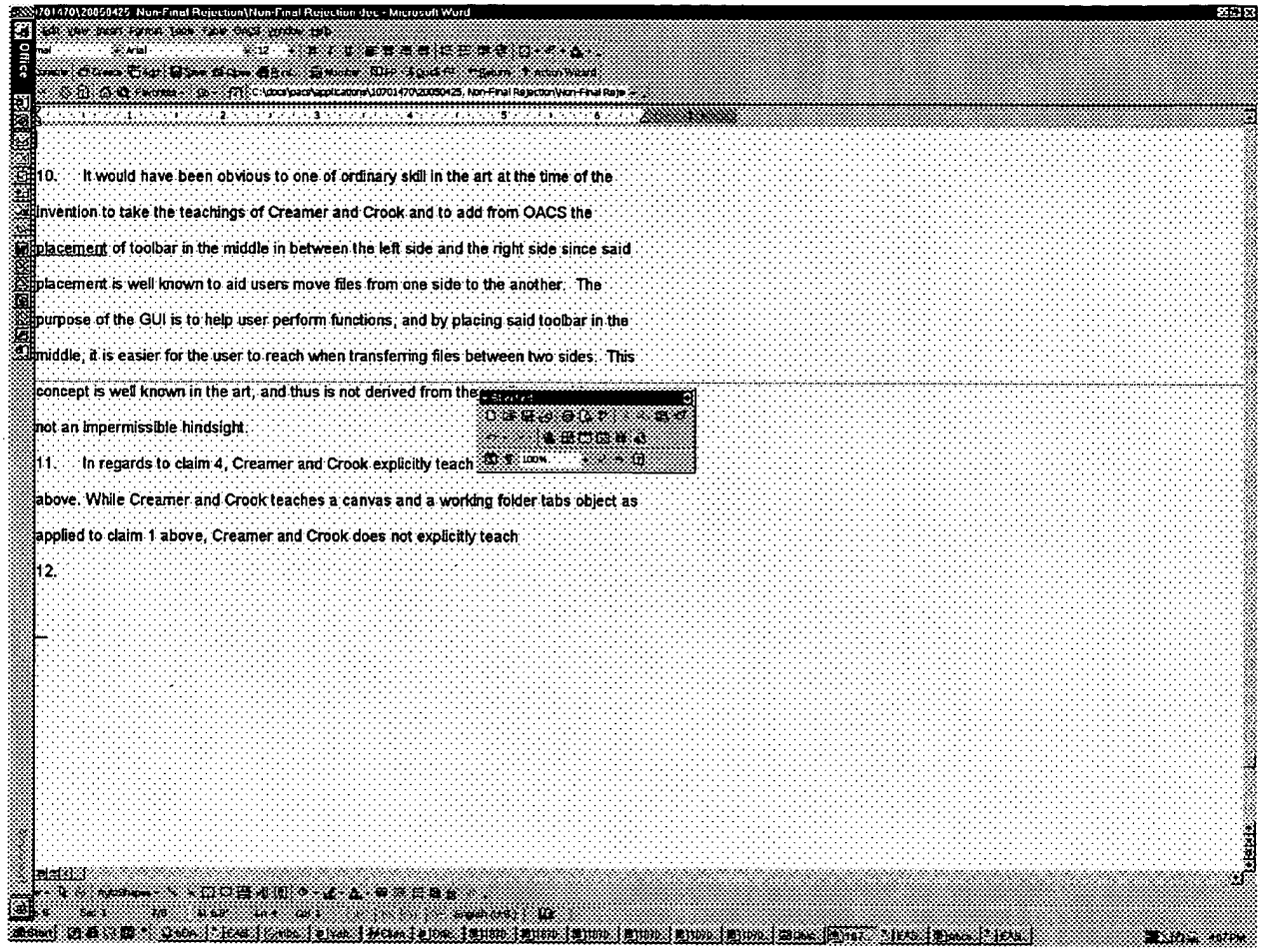

FIG. C: Floating Toolbar in the middle.

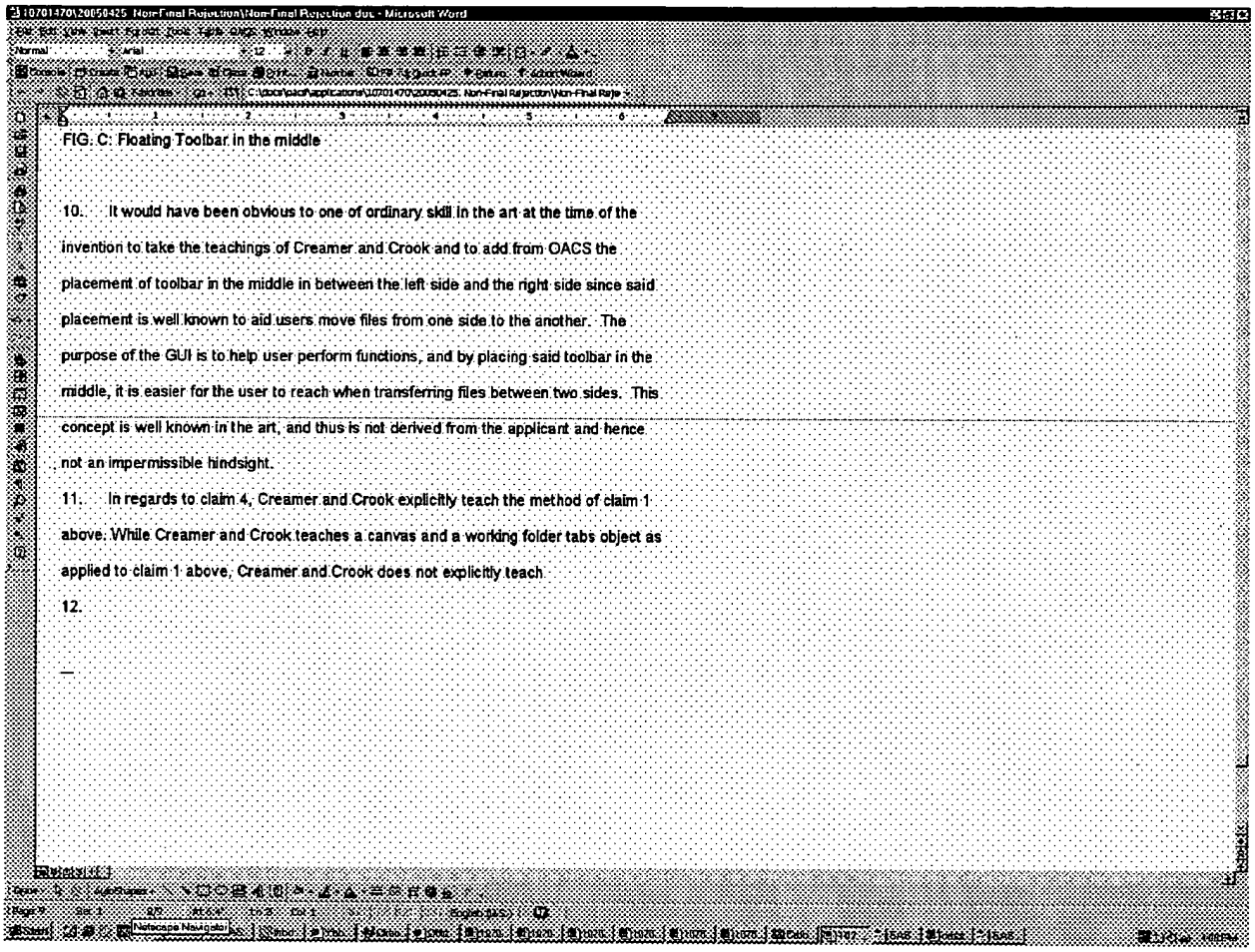

FIG. D: Floating Toolbar Docked on the left side.

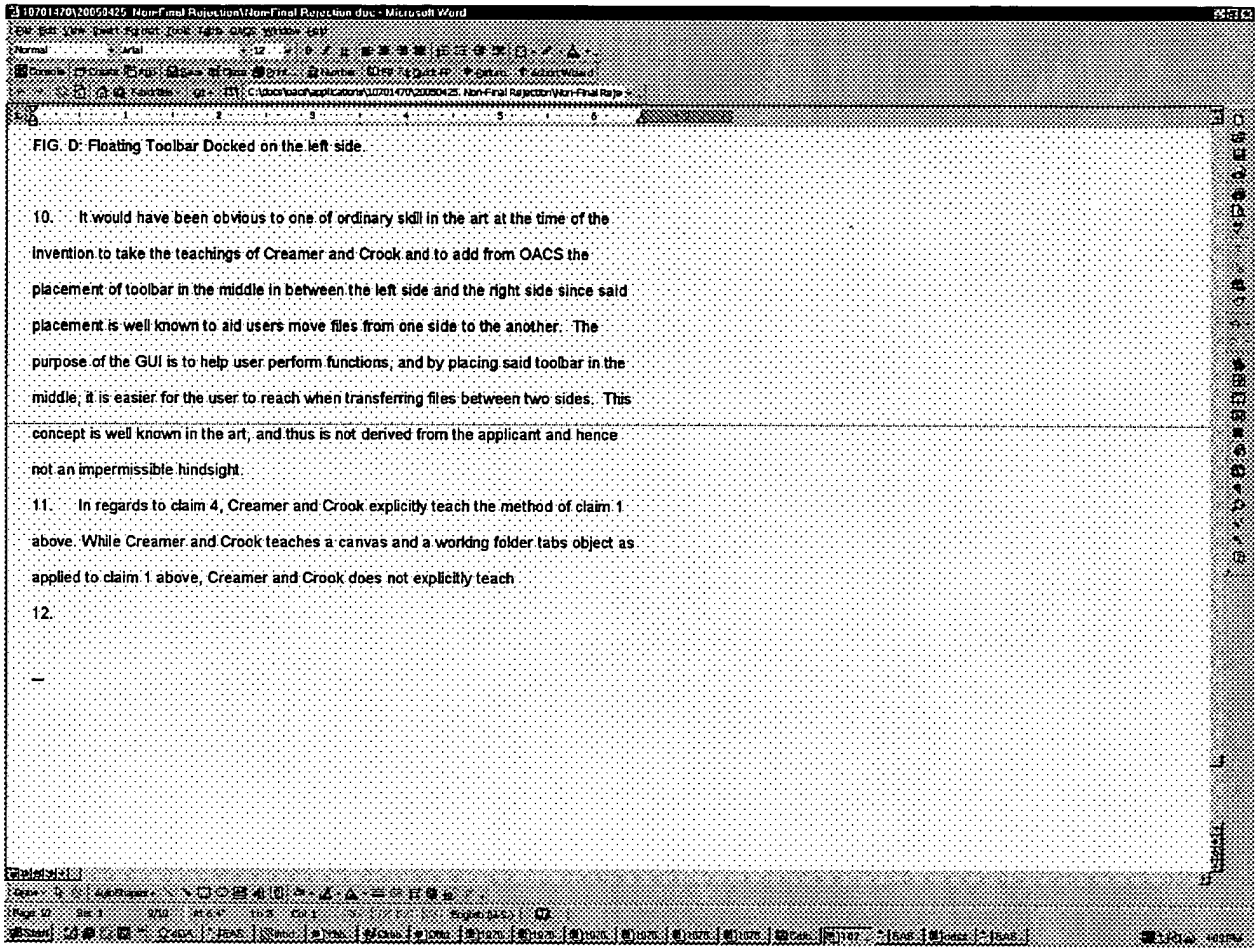

FIG. E: Floating Toolbar Docked on the right side.

15. In regards to claims 4 and 13, Creamer and Crook explicitly teach the method of claim 1 and 10 above. While Creamer and Crook teaches a canvas and a working folder tabs object as applied to claim 1 and 10 above, both do not explicitly teach a floating toolbar and floating working folder tabs object. However, as applied to claim 3 above, said floating feature specifically is taught by OACS and is well known in the GUI art. Said canvas as taught by Creamer and Crook specifically is displayed near the middle and across the center portion. In addition, when the floating toolbar function of OACS is applied to the toolbar and the working folder tabs object of Creamer and Crook, said canvas must be placed across the center portion.

Broadly speaking said working folder tabs object specifically is a toolbar also, since it comprises graphical representation that allows the user to execution a function of selecting specific objects.

16. It would have been obvious to one of ordinary skill in the art at the time of the invention to take the teachings of Creamer and Crook and to add from OACS the floating toolbar in order to easily move said toolbars to any convenient location on the screen. For example, when working on the left side of the screen, it's more convenient to move the toolbar near the left side, and said floating toolbar allows the user to easily move said toolbar to the convenient left side.

17. In regards to claim 8, Creamer, Crook explicitly teach the method of claim 1 above. In addition, Creamer (FIG. 7), Crook (FIGS. 2-17), and OACS (FIG. F below) in combination explicitly teach displaying the toolbar object comprising a plurality of buttons on the toolbar object, each button controlling objects displayed in the graphical design window. While Creamer and Crook teach toolbars comprising buttons, both are silent to the limitation regarding said buttons controlling objects displayed. OACS explicitly teaches displaying a toolbar comprising buttons, which control objects displayed. Using the Microsoft® Word Draw functions of OACS, objects can be selected from clip art folders and placed on the design window, wherein selection of each object activates a floating picture toolbar (FIG. F), which comprises a plurality of buttons with specifics functions directed to controlling said selected object. For example, selection of the well-known "Crop" button (7th from left on the floating tool bar) allows the object to be cropped. It would have been obvious to one of ordinary skill in the art at the time of the invention to take the teachings of Creamer and Crook and to add from OACS the well known toolbar function directed to controlling displayed objects. Although Creamer and Crook are silent to said limitation, said toolbar buttons controlling displayed objects

are well known in the art. Said buttons on the toolbar specifically represents shortcuts to specific functions, which allows the user to quickly control and manipulate the display object with one push of a button.

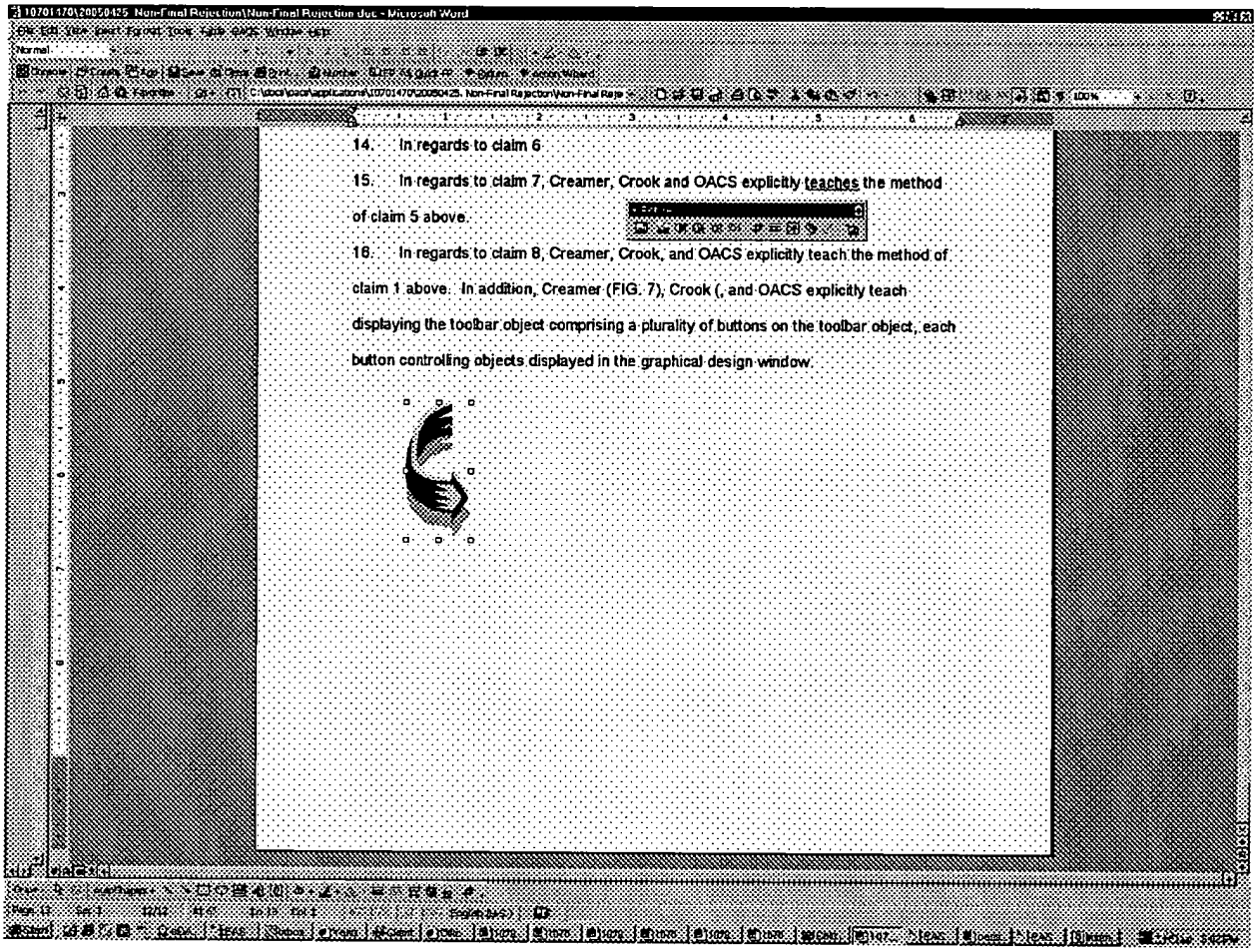

FIG. F: Toolbar comprises a plurality of buttons for controlling objects displayed.

18. In regards to claim 9, OACS explicitly teaches displaying a toolbar comprising buttons, which displaying text for each button, (see Fig. f, above).

19. In regards to claim 20, Creamer in figs. 5B-6E clearly illustrates the claim limitations. OACS in Fig. f, at the top tool bar menu illustrates an icon "+ADD" documents. That is selecting documents and pushing the done button on Action Name Dialog Box, push the Select

Button. It will create New Action folder, update OACS database, and save selected documents in the Action folder.

20. Claims 5-7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Creamer et al., US Patent Application Publication No: 2003/0126584 in view of Crook, US Patent No: 6,642,942, and further in view of Cebulka et al., US Patent No: 5,455,853.

21. In regards to claims 5 and 14, Creamer and Crook in combination teach ***the method of claim 1 wherein displaying a working folder tabs object that displays in one mode service independent building blocks that may be placed onto the canvas to design a service graph*** as applied to claim 1 above. In addition, Creamer explicitly teaches ***displaying icons representing service graph*** (FIG. 7 and Paragraph [0037]). Individual icons representing service independent building blocks are put together on the canvas in order to create a service graph comprising a plurality of icons. This represents a second mode since the user creates the service graph during a service graph editing mode. Creamer and Crook do not explicitly teach displaying icons representing service data tables and message sets, but it is well known and obvious in the art to incorporate tables and messages.

22. An analogous art, Cebulka et al., teaches a method of creating a customizable telecommunication service template in order to reduce the work required when created a new service graph. Using a template allows the user to eliminate the need to recreate said service graph from scratch, and thus reduce the time requirement (Col. 1, line 50 – Col. 3, line 61). Much like Creamer and Crook, Cebulka et al. teaches displaying various graphical objects representing service graph building blocks and creating service graphs by combining said graphical objects (Col. 6, line 63 – Col. 10, line 23 and FIGS. 7-12 and 29A).

23. In regards to claims 6,

24. In regards to claim 7, Creamer, Crook and OACS explicitly teach the method of claim 5 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Javid A Amini
Examiner
Art Unit 2672

Javid Amini

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SUPERVISORY PATENT EXAMINER
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